

1 JOSEPH P. RUSSONIELLO (CSBN 44332)  
United States Attorney

2 BRIAN J. STRETCH (CSBN 163973)  
3 Chief, Criminal Division

4 PATRICIA J. KENNEY (CSBN 130238)  
5 Assistant United States Attorney

6 450 Golden Gate Avenue, 11<sup>th</sup> Floor  
7 San Francisco, California 94102  
Telephone: 415.436.6857  
Facsimile: 415.436.7234  
Email: patricia.kenney@usdoj.gov

8 Attorneys for United States of America

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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA, ) No. 06-5256 SI

14 Plaintiff, )

15 v. )

) STIPULATION AND ORDER  
RE: SCHEDULING

16 REAL PROPERTY AND )  
17 IMPROVEMENTS LOCATED AT )  
18 10 TABLE BLUFF ROAD, LOLETA, )  
19 CALIFORNIA (APN 308-271-026), )

Defendant. )

20 JOAN HUNZIKER, CITIMORTGAGE, )  
21 INC., AND CITIBANK, N.A., )

Claimants. )

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1           Counsel for the United States and counsel for claimant Joan Hunziker agree, subject to  
 2 this Court's approval, that the case be stayed for 90 days and all deadlines be extended by 90  
 3 days primarily for the purpose of determining whether the parties can resolve this case without  
 4 further expensive and time-consuming litigation, but also because both counsel have serious  
 5 health concerns, and counsel of the United States will be undergoing surgery on October 19,  
 6 2009. Counsel recognize that there are a number of expenses if this litigation goes forward on  
 7 the current schedule, including a deposition next week which the United States is taking in  
 8 Eureka; the deposition of claimant's son, Brendon Clarke, who is living in southern California  
 9 and would have to be deposed there; the deposition of claimant Hunziker; the expense involved  
 10 responding to the pending written discovery requests of the parties. In addition, unknown at the  
 11 time of the last CMC, counsel for the United States will be undergoing surgery, a total right knee  
 12 replacement, on October 19, 2009 and will, at a minimum, be out of the office on medical leave  
 13 for three weeks. As the Court recalls, counsel for claimant was unable to attend the last CMC  
 14 because she had injured her knee by fracturing the tibial plane approximately six weeks ago and  
 15 is still unable to walk for more than a few minutes, drive in a vehicle without pain and unable to  
 16 fly – which would likely be involved in taking a deposition in southern California..

17           Specifically, counsel agree to the following rescheduled deadlines:

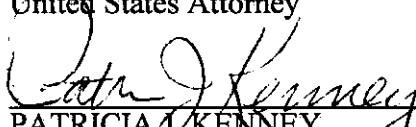
- 18           1. That claimant's responses to the United States' requests for admissions,  
                   interrogatories and requests for documents which are due on or before October 21,  
                   2009 are extended to and including January 19, 2010;
- 20           2. That the United States' responses to claimants' requests for admissions,  
                   interrogatories and requests for documents which are due on or before  
                   November 9, 2009 are extended to and including February 8, 2010;
- 22           3. That the September 9, 2009 pretrial preparation order dates are extended by 90  
                   days as follows (except for the pretrial and trial dates which counsel anticipate can  
                   be rescheduled, if necessary, at the January 29, 2010 case management  
                   conference):

- 1           a. A further case management conference currently scheduled for November  
2           13, 2009 will be held on January 29, 2010 at 3:00 p.m.;  
3           b. The expert and non-expert discovery cut off currently scheduled for  
4           December 18, 2009 will be extended to and including March 19, 2010;  
5           and  
6           c. The parties dispositive motions currently scheduled to be filed on January  
7           29, 2010 are due to be filed on April 30, 2010.
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9 IT IS SO STIPULATED:

10           Dated: October 9, 2009

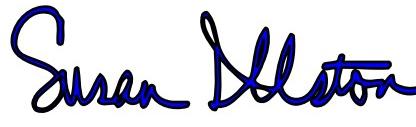
JOSEPH P. RUSSONIELLO  
United States Attorney

  
PATRICIA J. KENNEY  
Assistant United States Attorney  
Attorney for the United States

11           Dated: October 9, 2009

12           BRENDA GRANTLAND  
13           Attorney for Claimant Joan Hunziker

14 IT IS SO ORDERED PURSUANT TO THE FOREGOING STIPULATION ON THIS \_\_\_\_  
15 DAY OF OCTOBER, 2009.

  
16 HONORABLE SUSAN ILLSTON  
17 United States District Judge

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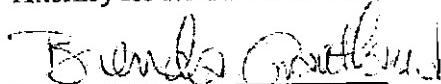
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9 IT IS SO STIPULATED:

JOSEPH P. RUSSONIELLO  
United States Attorney

10  
11 Dated: October 9, 2009

PATRICIA J. KENNEY  
Assistant United States Attorney  
Attorney for the United States

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13 Dated: October 9, 2009

  
BRENDA GRANTLAND  
Attorney for Claimant Joan Hunziker

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18 IT IS SO ORDERED PURSUANT TO THE FOREGOING STIPULATION ON THIS \_\_\_\_\_  
19 DAY OF OCTOBER, 2009.

20  
21 HONORABLE SUSAN ILLSTON  
United States District Judge